

REMARKS/ARGUMENTS

Claims 1-10 stand in the present application, claims 1 and 6 having been amended. Reconsideration and favorable action is respectfully requested in this case, in view of the above amendments and the following remarks.

The Examiner has rejected claims 1-10 under 35 U.S.C. § 103(a) as being unpatentable over Wolf et al. In view of the above-described claim amendments to independent claims 1 and 6, the Examiner's § 103 rejection of the claims is believed to have been overcome, as will be described in greater detail below.

More particularly, independent claims 1 and 6 have been amended to further recite that the subjective quality derived from the synchronisation errors and characteristics is modified according to whether the characteristic features are present in the audio and visual elements of the stimulus. Support for this feature of Applicant's invention can be found in the present specification at, *inter alia*, page 3, line 26 through page 4, line 13 and page 6, line 30 through page 8, line 8. Since the cited reference is not believed to teach or suggest this feature of Applicant's invention, claims 1 and 6 and their respective dependent claims 2-5 and 7-9 are believed to patentably define over the cited reference.

Wolf et al. discloses a system for extracting features from reference and degraded signals, and measuring the delay between these features to compute the synchronisation error between the audio and video. The Wolf et al. system does that by measuring delay between the video-reference and video-degraded features on one side, audio-reference and audio-degraded features on the other side. Wolf et al. does not "teach or suggest analyzing the audio and visual elements of the stimulus for the

presence of characteristic features indicative of the significance of synchronisation error" and "modifying the measure of subjective quality derived from the synchronisation errors and characteristics according to whether the characteristic features are present," as now more clearly recited in the present claims.

In the Advisory Action dated February 25, 2004, the Examiner alleges that Wolf et al.'s audio-visual quality parameters are equivalent to Applicant's claimed synchronisation errors and characteristics. Assuming arguendo that the Examiner is correct, which Applicant does not believe to be the case, no where does Wolf et al. teach or suggest that the "audio-visual parameters" are used to modify the measure of subjective quality derived from the "audio-visual parameters" according to whether the "audio-visual parameters" are present, as required in Applicant's invention with respect to the "synchronisation errors and characteristics." Accordingly, claims 1-10 are believed to patentably define over the cited art.

Therefore, in view of the above amendments and remarks, it is respectfully requested that the application be reconsidered and that all of claims 1-10, standing in the application, be allowed and that the case be passed to issue. If there are any other issues remaining which the Examiner believes could be resolved through either a

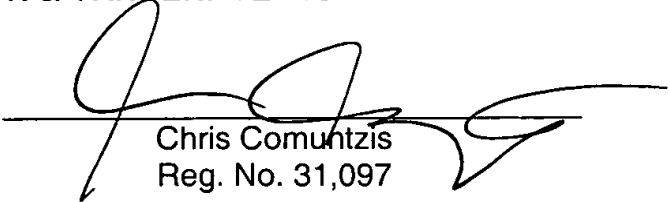
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supplemental response or an Examiner's amendment, the Examiner is respectfully
requested to contact the undersigned at the local telephone exchange indicated below.

Respectfully submitted,

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